

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

VINCENT NORWOOD,

Case No. 2:21-cv-01174-APG-NJK

ORDER

V.

MICHAEL MINEV, *et al.*,

Defendants

I. DISCUSSION

On June 21, 2021, Plaintiff, an inmate in the custody of the Nevada Department of Corrections (“NDOC”), submitted a civil rights complaint under 42 U.S.C. § 1983 and filed an application to proceed *in forma pauperis*. Docket Nos. 1-1, 1. Plaintiff’s application to proceed *in forma pauperis* is incomplete. Plaintiff has not submitted a Financial Certificate and an inmate account statement for a full six-month period with his application.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to begin a civil action in this Court may apply to proceed *in forma pauperis* in order to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

- (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

Accordingly, the Court denies Plaintiff's application to proceed *in forma pauperis*, Docket No. 1, without prejudice because the application is incomplete. The Court will grant Plaintiff a **one-time extension** to file a fully complete application to proceed *in forma pauperis* containing

1 all three of the required documents. Plaintiff must file a fully complete application to proceed *in*
2 *forma pauperis* on or before **August 23, 2021**. Absent unusual circumstances, the Court will not
3 grant any further extensions of time. If Plaintiff does not file a fully complete application to
4 proceed *in forma pauperis* with all three required documents on or before **August 23, 2021**, this
5 case will be subject to dismissal without prejudice for Plaintiff to file a new case with the Court
6 when Plaintiff is able to acquire all three of the documents needed to file a fully complete
7 application to proceed *in forma pauperis* or pays the full \$402 filing fee.

8 A dismissal without prejudice means Plaintiff does not give up the right to refile the case
9 with the Court, under a new case number, when Plaintiff has all three documents needed to submit
10 with the application to proceed *in forma pauperis*. Alternatively, Plaintiff may choose not to file
11 an application to proceed *in forma pauperis* and instead pay the full filing fee of \$402 on or before
12 **August 23, 2021** to proceed with this case.

13 The Court will retain Plaintiff's civil rights complaint, Docket No. 1-1, but the Court will
14 not file the complaint unless and until Plaintiff timely files a fully complete application to proceed
15 *in forma pauperis* with all three documents or pays the full \$402 filing fee.

16 **II. CONCLUSION**

17 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma*
18 *pauperis*, Docket No. 1, is **DENIED** without prejudice to file a new fully complete application to
19 proceed *in forma pauperis* with all three documents.

20 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved
21 form application to proceed *in forma pauperis* by an inmate, as well as the document entitled
22 information and instructions for filing an *in forma pauperis* application.

23 IT IS FURTHER ORDERED that, on or before **August 23, 2021**, Plaintiff must either pay
24 the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52
25 administrative fee) or file with the Court:

26 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's
27 approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page
28 3);

(2) a Financial Certificate properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form); and

(3) a copy of the inmate's prison or jail trust fund account statement for the previous six-month period.

IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete application to proceed *in forma pauperis* with all three documents or pay the full \$402 filing fee for a civil action on or before **August 23, 2021**, this case will be subject to dismissal without prejudice for Plaintiff to refile the case with the Court, under a new case number, when Plaintiff has all three documents needed to file a complete application to proceed *in forma pauperis* or pays the the full \$402 filing fee.

IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint, Docket No. 1-1, but the Court will not file it at this time.

DATED: June 22, 2021.


NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE